

# ELK RIDGE PLANNING COMMISSION

March 10, 2016

## TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, February 25, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Stacey Peterson, David Clark, Jim Chase, Lisa Phillips, Gregg Anderson, Paul Crook  
*Absent:* Colin Logue  
*Others:* Mayor, Hal Shelley  
Royce Swensen, *City Recorder*  
Shay Stark, *City Planner*  
Brianna Bailey, *Planning Commission Coordinator*  
*Public:* Dale Bigler, Joanna Bigler

## OPENING ITEMS

Stacey Peterson welcomed at 7:00 PM. Opening remarks were said by David Clark followed by the pledge of allegiance.

## APPROVAL OF AGENDA

There were not any changes to the agenda.

**JIM CHASE MOTIONED AND GREGG ANDERSON SECONDED TO APPROVE THE AGENDA AS CURRENTLY WRITTEN. VOTE: YES - ALL (6), NO - NONE, ABSENT - (1) COLIN LOGUE**

## OTHER ACTION ITEMS

### 1. REVIEW AND APPROVE MEETING MINUTES FOR 2/25/2016

**GREGG ANDERSEN MOTIONED AND DAVID CLARK SECONDED TO APPROVE THE MEETING MINUTES FOR FEBRUARY 25, 2016 AS CURRENTLY WRITTEN. VOTE: YES - ALL (6), NO - NONE, ABSENT - (1) COLIN LOG**

### 2. DISCUSSION ON PROPOSED LANDSCAPING CODE AMENDMENTS

Dale Bigler explained the attachments on the Landscaping Code that Jim Chase and he prepared. He explained the landscaping codes have not been getting enforced and City Council has reviewed the codes and decided to eliminate the mandatory 2 year landscaping code. Mr. Bigler explained they have to have their front yard completed, sprinkler system and at least 2 trees planted in the planter strips before the Homeowner can get the Certificate of Occupancy. He stated if the homes are built during the winter the homeowner will need to pay a cash bond of 125% and completed by June 1<sup>st</sup> of the following year. Mr. Bigler also states there are 6 trees that are specific and added to the Landscaping Codes that can be used but other types of trees can be used if approved by the tree committee. Since Elk Ridge City is a Tree City U.S.A. and as part of that requirement there needs to be a tree committee that includes Cody Black the Public Works Director, McKay Lloyd the Parks and Trails Director, Dale Bigler City Council, and Derek Peterson the arborist for Provo City. Jim Chase stated another code amendment was changing the tree size to 1 ½ inch caliper. Gregg Anderson asked will the developer be doing the trees. Dale Bigler explained yes the developer will be putting the trees in. Paul Crook asked will the trees in the planter strips affect the sidewalk at all with overgrown roots. Dale Bigler replied no, because the trees that have been chosen have roots that grow straight down, not out. He also explained a lot of cities are moving to metered systems for water and this will be a benefit for Elk Ridge city to use the metered water systems also. Jim Chase explained homes that do not have a park strip are not required to plant trees, so there is flexibility in that area.

### Discussion between Planning Commission Members

Jim Chase stated he would like a clause put in the Landscaping Codes for a 2 year bonding if trees die. He also explained the wordage needs to be editing for the planter strips and explained #4 in the Landscaping Codes code 10-12-9 needs to be inserted.  
Stacey Peterson explained she likes the 2 year bond on the trees also.  
David Clark likes the 2 year bond and wants to see it implemented.  
Lisa Phillips agrees with everything that has been said.  
Shay Stark asked with adding the 2 year bonding requirement it will add more administrative duties. Tracking the bonds aren't necessarily an issue but the job duties will be increased.  
Stacey Peterson asked if we could hire someone else to track these or increase the pay for Jan Butler who would be the person tracking these bonds.  
Dale Bigler feels this won't be that big of a problem with all of the requirements added the process will run more smoothly.  
Mayor Shelley explained whether the tree dies or not the bonds still have to be tracked.  
Gregg Anderson doesn't see the need for the 2 year bond because trees will either live or die, we don't need to bond on that 5% that dies.  
Dale Bigler proposed that we add into the Landscaping Codes that the trees be covered under the Home Warranty.  
Shay Stark explained the home warranty is through the developer and its up to the homeowner to follow through with warranty if the trees die. The developer will replace the trees but they do not plant them. Shay Stark explained he will look into this more.  
Stacey Peterson asked if we can look into options for the home warranty and see if it includes trees and/or landscaping or not.  
Shay Stark proposed that we reference these new Landscaping Codes in Chapter 12 (miscellaneous codes).

Stacey Peterson asked what the next steps are for these Landscaping Code Amendments.

Shay Stark explained if Planning Commission is happy with the Landscaping Codes Amendments there would then be a Public Hearing in City Council.

Mayor Shelley explained that because of City Council having other obligations and meetings that the Public Hearing would fall on Planning Commission instead to help expedite this.

### 3. DISCUSSION ON PROPOSED CHANGES TO THE PLANNING COMMISSION BY-LAWS

David Clark stated there is room for improvement and changes that need to be made to the By-Laws. His recommendation is to have all the Planning Commission members review the By-Laws and bring their recommendations to the next Planning Commission meeting.

Paul Crook stated item 6 on Page 3 of the By-Laws need to be changed. Currently they state that Planning Commission meetings will be held on the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of the month but it should be changed to the 2<sup>nd</sup> and 4<sup>th</sup> Thursday like they are currently being held.

David Clark explained the attendance policy needs to be looked at and re-evaluated. It states Planning Commission members need to have 75% or higher attendance. Mr. Clark explained the more cancellations we have plus the missed meetings when calculating attendance it can really affect the actual attendance percentage for the Planning Commission member and the city needs to find a way to calculate that differently.

Jim Chase wanted to know the time frame on attendance. Was it calculated by one month, 6 months, or a year?

Shay Stark explained if a Planning Commission member can't be at a meeting, to please let Brianne Bailey, the Planning Commission Coordinator, know so she can make record of it. Mr. Stark also explained at the beginning of each Planning Commission meeting we need to have a roll call and make a note of who is present or absent for the record as well. He explained that the city is mostly concerned with the individual Planning Commission members who consistently miss meetings without responding to the emails sent out or calls to verify attendance.

David Clark feels that he is coming into the meetings unprepared. He feels like none of the Planning Commission members are on the same page. He explained in the By-Laws it states the information in regards to Planning Commission members receiving documents or attachments before the meetings held need to be out by the Friday before.

Brianne Bailey explained the attachments can be ready and sent out by the Thursday prior and the agenda out on the Monday prior to Planning Commission meetings. All of the Planning Commission members were in agreeance with this and nothing needs to be changed on the By-Laws in regards to the issue with getting attachments out.

Jim Chase explained Section 7C on page 3 which talks about a 3 x 3 split vote. The Planning Commission members were in agreeance if the vote came down to a tie/split vote, the issue at hand would get tabled for further review and research for the next meeting or an upcoming meeting.

### 4. DISCUSSION ON CHANGING PUD LOT SIZES TO 10,000 SQ. FT. LOT MINIMUM

Shay Stark explained the way the PUD ordinance is written there are different density's available depending on what the underlying zone is. In the case of the R-1-12,000 zone that is the Elk Ridge Meadows development, there is no other R-1-12,000 currently zoned in the city. So in the case of that zone if they have meet all of the requirements for the PUD they can get small 7,000 sq. ft. lots. In the case of the R-1-15,000 zones they could get a minimum of 8,000 sq. ft. lots. And the R-1-20,000 can get 10,000 sq. ft. lot sizes. He explained we are on a hillside and the larger the city can keep the lots the better. Mr. Stark explained the major issue here is whether the city wants 25% open space because the city can't afford to maintain it.

David Clark is concerned with this because he looked at other cities and they usually required an HOA that collects fees to maintain these things. He doesn't understand how the city committed to the PUD overlay because the burden falls on the cities shoulders.

Shay Stark stated he feels that going to a minimum of R-1-10,000 minimum sq. ft. lot is a good idea. He expressed that the city doesn't want to zone anymore R-1-12,000 and we don't want anything smaller than R-1-15,000 which is 1/3 acre lots. He explained if this continues to carry-on then the PUD becomes a mute issue anyways.

Jim Chase explained there are other areas in the city that can possibly be used as PUD zones.

Mayor Shelley explained we can leave the PUD in but we need to re-word the clause about the 25%.

Shay Stark said we need to look at other options and move the density around within a parcel to best fit the terrain.

Jim Chase explained the main focus of the PUD is to gain park space, which the city doesn't need more park space.

Shay Stark stated that this can become an issue and the city does need to look at it and find any issues to make the necessary changes.

### 5. DISCUSSION ON COMMERCIAL DESIGN STANDARDS

Shay Stark passed out a book on the design standards for the city of Bozeman, Montana and explained usually older historic towns have stricter design standards and they already have some commercial base to work off of. He said Elk Ridge city doesn't have any commercial base to work off of so it may be more difficult to put these standards into place. He asked the Planning Commission how much of this do we want to put into administering this code. Mr. Stark stated he likes the Bozeman, Montana design standard because the code is very simple and it's adopted by resolution and the architectural details are dealt with in the standard design but it's still within the code. He feels that the city will need to come up with the architectural design itself and possibly speak to City Council and see if some money can be allocated for someone to come up with these design standards because they can be very complex.

David Clark recommended doing some research into finding more of these design standards on the internet and he will email Planning Commission members to hold a discussion on the concepts and ideas for the City Property Civic Center being pursued.

### 6. DISCUSSION ON ZONING ORDINANCES

The Planning Commission did not make it to this discussion this time. Stacey Peterson asked that this issue be dropped.

**CITY BUSINESS**

**7. CITY COUNCIL UPDATE**

No update to report

**8. OTHER BUSINESS**

None

**STACEY PETERSON MOTIONED AND DAVID CLARK SECONDED TO ADJOURN THE MEETING.  
VOTE: YES - ALL (6), NO - NONE, ABSENT - (1) COLIN LOGUE**

**ADJOURNMENT** -- meeting adjourned at 9:00 pm

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Planning Commission Coordinator